



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 18, 2005

Mark Heitz, Treasurer
Heart PAC
2250 N Rock Rd., #118-224
Wichita, KS 67226

Response Due Date:
April 18, 2005

Identification Number: C00342386

Reference: July Quarterly Report (4/01/04 – 6/30/04)

Dear Mr. Heitz:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B supporting Line 23 of your report discloses one or more contributions to candidates for the 2004 Primary election; however, the funds were disbursed after the election dates (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contributions in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committees. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contributions will be taken into consideration.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1399.

Sincerely,


Ryan J. Lanz
Campaign Finance Analyst
Reports Analysis Division

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Recipient Name	Date	Amount	Election	Election State - Date
Armendariz Klein for Congress	6/15/04	\$1,000.00	P-2004	TX – 3/09/04
DeMint for Senate Committee	6/17/04	\$1,000.00	P-2004	SC – 6/08/04
Gohmert for Congress	6/15/04	\$1,000.00	P-2004	TX – 3/09/04
Poe for Congress	6/15/04	\$1,000.00	P-2004	TX – 3/09/04
Wohlgemuth for Congress	6/15/04	\$1,000.00	P-2004	TX – 3/09/04

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